

**EXHIBIT C**

Project No.

Cakes

Date Started

Object

Compare cakes made w/ M. Henley's  
soluble fibers at 50 and 75% sucrose  
replacement (vs. Polydextrose)

Flour - 125g  
sugar - 73.5g  
Cristo - 4.7g  
BP - 4.8g  
H<sub>2</sub>O - 148 mL

salt - 2.7g  
Vanilla - 2.6g  
NFDM - 15g  
WDE - 12.5g

50%

36.75g SUGAR  
110.25g SAMPLE

75%

Sample Polydextrose

Tamarind (6231:137) 22% RS

GuarGum (6231:134-1) 20% RS

LBG (6231:134-2) 38% RS

all used at 50% and 75% sucrose replacement.

Tamarind most functional cake  
flavor very heavy and burnt

LBG functionally OK to undesirable  
flavor bitter (offensive)

Guar Least functional cake, but flavor  
most desirable (like caramel)

Try Guar in puddings

WORK OF

F. Vazda

DATE:

I WITNESS THIS DOCUMENT AND UNDERSTAND ITS CONTENTS

Signature

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	:	
Chiu, et al.	:	
Serial No.: 07/525,943	:	Group Art Unit: 1302
Filed: May 17, 1990	:	Examiner: J. Gollan
For: <u>BULKING AGENTS AND PROCESSES FOR</u>		
<u>PREPARING THEM FROM FOOD GUMS</u>		

SUPPLEMENTAL AFFIDAVIT UNDER 37 C.F.R. SECTION 1.131

State of New Jersey      )  
                             ) SS:  
 County of Somerset    )

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Sir:

We, Dr. Chung-Wai Chiu, Matthew J. Henley and James P. Zallie, being duly sworn, depose and say that:

1. We are named inventors of the above-captioned patent application and inventors of the subject matter described and claimed in Claims 29-35 therein. We have reviewed the Office Action, dated April 17, 1992, in the above-captioned patent application.

2. We make this Affidavit to antedate U.S. Patent Nos. 4,971,814, filed December 29, 1989 and issued November 20, 1990 to Tomita, et al.; and 5,073,387, filed January 24, 1990 and issued December 17, 1991 to Whistler, which have been cited by the Examiner in the above-captioned application.

3. Prior to December 29, 1989, we had completed our invention as described and claimed in the above-captioned patent application in the United States, as evidenced by the following:

a. prior to December 29, 1989, we prepared the invention disclosure document that is annexed hereto as Exhibit A, which documents our invention of bulking agents prepared by enzymatically depolymerizing non-cellulosic or non-starch heteropolysaccharides to a degree that permits the polysaccharide to function like sucrose while retaining the low digestibility of the base.

4. Each of the dates, together with certain confidential information of National Starch and Chemical Company, have been purposely deleted from Exhibit A.

Chung-wai Chiu  
DR. CHUNG-WAI CHIU

Matthew J. Henley  
MATTHEW J. HENLEY

James P. Zallie  
JAMES P. ZALLIE

National Starch and Chemical Company  
P.O. Box 6500  
Bridgewater, New Jersey 08807

October 16, 1992

**NOTARIAL CERTIFICATE**

United States of America )  
State of New Jersey ) SS  
County of Middlesex )

On this ~~10~~<sup>11</sup> day of October, 1992, before me personally appeared **Dr. Chung-Wai Chiu, Matthew J. Henley and James P. Zallie**, to me known and known to me to be the person mentioned in and who executed the foregoing document; and each duly acknowledged to me that he executed the document for the uses and purposes therein set forth. 2

Marilyn T. Fabb  
Notary Public

MARILYN T. FAKLA  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires July 19, 1992